

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GREGORY STEVEN BETTS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 3:16-cv-05570 JRC

ORDER ON UNOPPOSED MOTION
FOR EQUAL ACCESS TO JUSTICE
ACT FEES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 6; Consent to Proceed Before a United States Magistrate Judge, Dkt. 9).

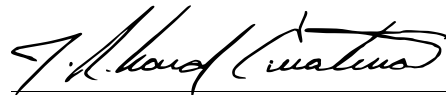
This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees (*see* Dkt. 21). Defendant has no objection to plaintiff's motion (*see* Dkt. 22).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion (*see* Dkt. 21), plaintiff's brief regarding EAJA fees (Dkt. 21, Attachment 1), the attorney declaration and time itemizations (Dkt. 21, Attachments 3, 4), and the relevant record, it is

1 hereby ORDERED that EAJA attorney's fees of \$2,597.00 shall be awarded to plaintiff pursuant
2 to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763
3 at ***6-***7 (2010).

4 The Acting Commissioner shall contact the Department of Treasury after the Order for
5 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
6 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
7 Treasury's Offset Program, then the electronic payment or check for EAJA fees shall be made
8 payable to Christopher Lyons, Esq., based on plaintiff's assignment of these amounts to
9 plaintiff's attorney (*see* Fee Agreement, Dkt. 21, Attachment 5). If there is an offset, the
10 remainder shall be made payable to plaintiff, based on the practice of the Department of the
11 Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees shall be
12 mailed to plaintiff's counsel, Christopher Lyons, Esq., at Truitt & Lyons, P.O. Box 1645,
13 Coupeville, WA 98239 or deposited to his account via electronic payment.

14 Dated this 11th day of January, 2017.

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17 J. Richard Creatura
18 United States Magistrate Judge
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